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Attorney for Defendant
DAVID TALCOTT USSERY

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. Cr. S 05-34 LKK
)	
Plaintiff,)	REQUEST TO MODIFY SCHEDULING
)	ORDER; ORDER
v.)	
)	<u>RETROACTIVE CRACK COCAINE</u>
DAVID TALCOTT USSERY,)	<u>REDUCTION CASE</u>
)	
Defendant.)	
)	
_____)	

Defendant DAVID TALCOTT USSERY, by and through his attorney,
Assistant Federal Defender David M. Porter, hereby requests the Court
issue the order lodged herewith modifying the briefing schedule in
conjunction with the filing of an amended motion to reduce sentence
pursuant to 18 U.S.C. § 3582(c)(2), because of unanticipated
difficulties in obtaining the sentencing transcript. Counsel for
plaintiff, Assistant U.S. Attorney Anne E. Pings, graciously indicated

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1 that she has no objection to the proposed schedule.

2 Dated: May 6, 2008

3 Respectfully submitted,

4 DANIEL J. BRODERICK
5 Federal Defender

6 /s/ David M. Porter
7 DAVID M. PORTER
8 Assistant Federal Defender

9 Attorney for Movant
10 DAVID TALCOTT USSERY

11 O R D E R

12 For the reasons set forth above, and good cause appearing
13 therefor, the Court modifies the briefing schedule as follows:

14 Amended Motion: Due June 10, 2008
15 Government Response: Due June 24, 2008
16 Reply: Due July 1, 2008
17 Hearing: July 8, 2008 at 9:30AM.

18 IT IS SO ORDERED.

19 Dated: May 8, 2008

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21 LAWRENCE K. KARLTON
22 SENIOR JUDGE
23 UNITED STATES DISTRICT COURT
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